



01-30-07

Attorney's Docket No.: 13681-003002 / Yale Ref. No. OCR 986 US03

15w 1616

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Choi et al.
Serial No. : 10/053,535
Filed : January 15, 2002
Title : CARBON MONOXIDE AS A BIOMARKER AND THERAPEUTIC AGENT

Art Unit : 1616
Examiner : Frank I. Choi
Conf. No. : 7091

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request consideration of the references listed on the attached PTO-1449 form. Under 37 C.F.R. § 1.98 (a)(2)(ii), only copies of foreign patent documents and/or non-patent literature are enclosed. Copies of any listed U.S. patents or U.S. patent application publications can be provided upon request. A copy of a communication from a foreign patent office in a counterpart application is also enclosed.

Applicants also request consideration of the enclosed two Office Actions, which were issued by the U.S. Patent and Trademark Office in U.S. Serial Nos. 10/413,817 and 10/439,632. As applicants informed the Office in their Information Disclosure Statement (IDS) filed June 18, 2004, these two applications have overlapping inventorship with the above-referenced application.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. A check for \$180 in payment of the late submission fee of §1.17(p) is enclosed.

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Applicant : Choi et al.
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Please apply any other charges or credits to Deposit Account No. 06-1050, referencing
Attorney Docket No. 13681-003002.

Respectfully submitted,

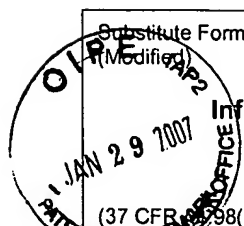
Date: _____

1/29/07



Todd E. Garcia, Ph.D.
Reg. No. 54,112

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

 Substitute Form PTO-1449 (Modified) Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR 1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13681-003002	Application No. 10/053,535
	Applicant Choi et al.		
	Filing Date January 15, 2002	Group Art Unit 1616	

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A1	5,498,421	Mar. 12, 1996	Grinstaff et al.			/
	A2	7,045,140	May 16, 2006	Motterlini et al.			
	A3	2005/0215468	Sep. 29, 2005	Bar-Or et al.			

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	B1	WO 02/078684	10/10/2002	WIPO				
	B2							

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	C1	Allred et al., "Effects of Carbon Monoxide on Myocardial Ischemia," Environmental Health Perspectives 91:89-132 (1991)
	C2	Arcasoy et al., "Erythropoietin (EPO) Stimulates Angiogenesis In Vivo and Promotes Wound Healing," Blood 98:822A-823A, Abstract (2001)
	C3	Caplan et al., "Role of asphyxia and feeding in a neonatal rat model of necrotizing enterocolitis," Pediatr. Pathol., 14:1017-1028 (1994)
	C4	Czlonkowska et al., "Immune processes in the pathogenesis of Parkinson's disease - a potential role for microglia and nitric oxide," Med. Sci. Monit. 8:RA165-RA177 (2002)
	C5	Goldberg and Schneider, "Similarities between the oxygen-sensing mechanisms regulating the expression of vascular endothelial growth factor and erythropoietin," J. Biol. Chem. 269:4355-359 (1994)
	C6	Guo, "The Research Status of the Gas Messenger Molecules of Nitric Oxide and Carbon Monoxide in the Biomedicine Field," Practical Journal of Cardiac, Cerebral and Pulmonary Vascular Diseases Vol. 8(2) (2000) (English translation included)
	C7	Harmey and Bouchier-Hayes, "Vascular endothelial growth factor (VEGF), a survival factor for tumour cells: implications for anti-angiogenic therapy," Bioessays 24:280-83(2003)
	C8	Josko, "Vascular endothelial growth factor (VEGF) and its effect on angiogenesis," Medical Science Monitor 6:1047-52 (2000)
	C9	Krause et al., "Recombinant human erythropoietin and VEGF have equal angiogenic potency: Investigation in a novel in vitro assay of human vascular tissues," European Heart J. 22:154 Abstract (2001)
	C10	Mazzola et al., "Carbon monoxide pretreatment prevents respiratory derangement and ameliorates hyperacute endotoxic shock in pigs," FASEB J. 19:2045-2047 (2005)
	C11	Omaye, "Metabolic modulation of carbon monoxide toxicity," Toxicol. 180:139-150 (2002)
	C12	Potter et al., "The inflammation-induced pathological chaperones ACT and apo-E are necessary catalysts of Alzheimer amyloid formation," Neurobiology of Aging 22:923-30 (2001)

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449
(Modified)U.S. Department of Commerce
Patent and Trademark OfficeAttorney's Docket No.
13681-003002Application No.
10/053,535**Information Disclosure Statement
by Applicant**

(Use several sheets if necessary)

(37 CFR 1.98(b))

Applicant
Choi et al.Filing Date
January 15, 2002Group Art Unit
1616**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	C13	Shahin et al., "Carboxyhemoglobin in pediatric sepsis and the systematic inflammatory response syndrome," Clinical Intensive Care 11(6):311-17 (2000)
	C14	Stewart, "The effect of carbon monoxide on humans," J. Occup. Med. 18:304-309 (1976)
	C15	Stewart, "The effects of low concentrations of carbon monoxide in man," Scand. J. Respir. Dis. Suppl. 91:56-62 (1974)
	C16	Thiemermann, "Inhaled CO: deadly gas or novel therapeutic," Nature Medicine 7(5): 534-35 (2001)
	C17	Vreman et al., "Carbon monoxide and carboxyhemoglobin," Adv. Pediatr. 42:303-34 (1995)
	C18	Wright and Shephard, "Physiological effects of carbon monoxide," Int. Rev. Physiol. 20:311-68 (1979)
	C19	Zegdi et al., "Increased endogenous CO production in severe sepsis," Intensive Care Medicine 23:793-96 (2002)
	C20	Zuckerbraun et al., "Carbon monoxide protects against liver failure through nitric oxide-induced heme oxygenase 1," J Exp Med. 198(11):1707-16 (2003)
	C21	

Examiner Signature

Date Considered

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